

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

-v-

NURRIDDIN WITCHER,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/25/21

20-cr-116 (KMW)

ORDER

KIMBA M. WOOD, District Judge:

The Court has considered Defendant Witcher's motion for an Order granting Defendant's request (1) to review the grand jury minutes from the original indictment as well as the superseding indictment in this case; or (2) for the Court to perform an in camera review of the grand jury minutes from the original indictment as well as the superseding indictment in this case; and (3) to dismiss the superseding indictment, with prejudice, should the minutes reveal Government misconduct, and; (4) for any other relevant relief.

The Government, in recognition that the prosecutor asked an inappropriately conclusory question of a witness while seeking the original indictment, obtained a superseding indictment omitting the conclusory question. The Defendant has not impugned the appropriateness of the Government's conduct while obtaining the superseding indictment.

The Defendant's speculation that the evidence submitted to the grand jury that returned the superseding indictment is an insufficient basis for meeting the high burden required to override the presumptive secrecy of grand jury materials.

For the reasons set forth above, the Defendant's motion is DENIED.

SO ORDERED.

Dated: March 24, 2021
New York, New York



KIMBA M. WOOD
United States District Judge